

**IN THE UNITED STATES DISTRICT COURT**  
**FOR THE DISTRICT OF NEW MEXICO**

JOHN J. WILSON,

Plaintiff,

v.

No. 1:19-cv-00032-KK

KROGER CORPORATION,

Defendant.

**ORDER FOR SERVICE OF NOTICE AND WAIVER**

**THIS MATTER** comes before the Court on Plaintiff's Amended Complaint, Doc. 5, filed January 22, 2019.

Plaintiff is proceeding *in forma pauperis* pursuant to 28 U.S.C. § 1915 which provides that the "officers of the court shall issue and serve all process, and perform all duties in [proceedings *in forma pauperis*]"). 28 U.S.C. § 1915(d). Because Plaintiff is authorized to proceed in forma pauperis under 28 U.S.C. § 1915, the Court will order the Clerk of the Court to notify Defendant, at the address provided by Plaintiff, that an action has been commenced and request that Defendant waive service pursuant to Fed. R. Civ. P. 4(d).

**IT IS ORDERED** that the Clerk of the Court notify Defendant that an action has been commenced and request that Defendant waive service pursuant to Fed. R. Civ. P. 4(d). The notice shall include a copy of Plaintiff's Amended Complaint, Doc. 5. The Clerk shall mail the notice, waiver and a copy of the Amended Complaint to:

Kroger Corporation  
1014 Vine St.  
Cincinnati, OH 45202

If Defendant does not return the waiver within 45 days after the request is sent, then the United States Marshal shall serve a copy of the Summons and Amended Complaint on Defendant.

  
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**KIRTAN KHALSA**  
**UNITED STATES MAGISTRATE JUDGE**